

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

Civil Action No. 05-11067-PBS

VOLKSWAGEN AG,	)
VOLKSWAGEN OF AMERICA, INC.	)
and BUGATTI INTERNATIONAL, S.A.,	)
	)
Plaintiffs,	)
	)
v.	)
	)
THE BUGATTI, INC.,	)
	)
Defendant.	)
	)

**PLAINTIFF VOLKSWAGEN OF AMERICA'S CERTIFICATION PURSUANT  
TO LOCAL RULE 16.1(D)(3)**

Plaintiff Volkswagen of America, Inc. ("VWoA"), by its authorized representative and undersigned counsel, hereby certifies that they have conferred: (a) with a view to establishing a budget for the costs of conducting the full course -- and various alternative courses -- of the litigation; and (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs.

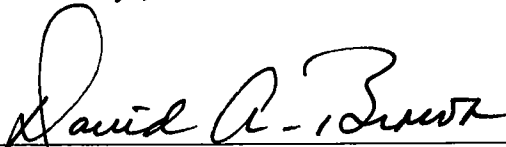
VOLKSWAGEN OF AMERICA, INC.,

By its authorized representative:

  
\_\_\_\_\_  
Joseph S. Folz

Dated: SEPTEMBER 8, 2005

By its attorneys,

A handwritten signature in black ink, appearing to read "David A. Brown", is written over a horizontal line.

**SHERIN AND LODGEN LLP**

David A. Brown, BBO #: 556161

Margaret H. Paget, BBO #: 567679

101 Federal Street

Boston, MA 02110

Telephone: (617) 646-2000

Of Counsel:

**BLANK ROME LLP**

Susan B. Flohr

Michael D. White

600 New Hampshire Avenue, NW

Washington, DC 20037

Telephone: (202) 772-5800

Facsimile: (202) 772-5858